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Attorneys for Defendant Johnson Mai

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES,  
 Plaintiff

v.

JOHNSON MAI,  
 a/k/a Zhi Xiong Mai  
 a/k/a Uncle Hong,  
 a/k/a Chi Hong Mak,  
 a/k/a Hong Suk;  
 LISA LEE,  
 a/k/a Xiao Ling Li;  
 KAI LUN ZHENG,  
 a/k/a Wai Keung Cheung,  
 a/k/a Su Ming,  
 a/k/a Alan Zheng;  
 ZHI EN HUANG,  
 a/k/a Gao Lo;  
 DAVID YUEN,  
 a/k/a Lo Wu,  
 a/k/a Wu So Gor; and  
 ERIC YU HENG CAI

Defendants.

No: 3-06-70479 MAG

~~PROPOSED~~ ORDER AND STIPULATION  
 FOR CONTINUANCE FROM NOVEMBER  
 2, 2007 TO DECEMBER 11, 2007 AND  
 EXCLUDING TIME FROM THE SPEEDY  
 TRIAL ACT CALCULATION (18 U.S.C. §  
 3161(h)(8)(A) AND WAIVING TIME  
 LIMITS UNDER RULE 5.1

With the agreement of the parties, and with the consent of the defendants, the Court enters this  
 order scheduling a status conference on December 11, 2007 at 9:30 a.m. before the duty magistrate

1 judge and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of  
2 Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. §  
3 3161(h)(8)(B)(ii) and (iv), from November 2, 2007 to and through December 11, 2007. The parties  
4 agree, and the Court finds and holds, as follows:

- 5 1. The case is very complex and involves international transactions and shipments, foreign  
6 banks and complex monetary transactions, extensive wiretap evidence and conversations  
7 in different chinese language dialects. There are multiple defendants and discovery is  
8 voluminous. All defense counsel involved are in need of additional time to prepare the  
9 case. Furthermore, the government and defense counsel are actively involved in the  
10 process of global settlement discussions to resolve all pending charges and forfeiture  
11 claims involving some\all defendants before the court and additional time is necessary  
12 to seek approval of proposed plea and forfeiture agreements with the government.
- 13 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §  
14 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective  
15 preparation taking into account the exercise of due diligence.
- 16 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for  
17 preliminary hearing.
- 18 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a  
19 preliminary hearing before the duty magistrate judge on December 11, 2007 at 9:30 a.m.  
20 and (2) orders that the period from November 2, 2007 to December 11, 2007 be  
21 excluded from the time period for preliminary hearings under Federal Rule of Criminal  
22 Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(b).

23 IT IS SO STIPULATED:

24 DATED: October 30, 2007

/s/ Garrick Lew  
GARRICK LEW  
Attorney for Defendant Johnson Mai

26 DATED: October 30, 2007

/s/ Gil Eisenberg  
GIL EISENBERG  
Attorney for Defendant Kai Lun Zheng

1 DATED: October 30, 2007

/s/ Brian Getz  
BRIAN GETZ  
Attorney for Zhi En Huang

3 DATED: October 30, 2007

/s/ Stuart Hanlon  
STUART HANLON  
Attorney for David Yuen

5 DATED: October 30, 2007

/s/ Randy Montesano  
RANDY MONTESANO  
Attorney for Eric Cai

7 DATED: October 30, 2007

/s/ Thomas Mazzucco  
THOMAS MAZZUCCO  
Assistant United States Attorney

11 IT IS SO ORDERED.

12 DATED: 11/1/07

  
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HONORABLE EDWARD CHEN  
United States Magistrate Judge

28 Stipulation and Proposed Order for Continuance  
[3-06-70479] [MAG]